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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,868	12/30/1999	AUROBINDO TRIPATHY	INTL-0281-US	6979

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EXAMINER

NGUYEN, MINH DIEU T

ART UNIT	PAPER NUMBER
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2137

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DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/475,868

Applicant(s)

TRIPATHY, AUROBINDO

Examiner

Minh Dieu Nguyen

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 1-20 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1-12, 14 and 16-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis, US 6,064,739 in view of Wilson, US 5,742,680.

a) **As to claims 1 and 18**, Davis discloses a system and method for copy protecting distributed video content comprising:

i) intercepting a first signal from a video transmission (col. 4, lines 36-43).

ii) extracting a second signal from the first signal, disclosing by Wilson.

iii) encrypting the second signal (col. 3, lines 43-44)

iv) storing the encrypted second signal.

Davis fails to disclose the step of extracting a second signal from the first signal.

Wilson discloses a system and method for selecting one of a plurality of simultaneously received encrypted direct broadcast satellite signals for decryption and

viewing comprising the step of extracting a second signal which reads on cryptographic key from the first signal (col. 5, lines 31-37).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of extracting the crypto key from the combined scrambled video data channel and the encryption/decryption, as Wilson teaches, in the system of Davis so as to better control data content.

b) **As to claim 2**, Davis fail to disclose extracting a scrambled signal from the first signal, Wilson discloses the method comprising:

- i) extracting a scrambled signal which reads on encrypted video content (col. 5, line 35) from the first signal.
- ii) storing the scrambled signal (Figure 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of extracting the crypto key from the combined scrambled video data channel and the encryption/decryption, as Wilson teaches, in the system of Davis so as to better control data content.

- c) **As to claims 3 and 19**, Davis discloses the method further comprising:
- i) receiving a request for the scrambled signal to be descrambled (col. 5, lines 50-52).
 - ii) retrieving the encrypted signal (col. 5, lines 42-49).

iii) restoring the second signal by decrypting the encrypted signal (Figures 3A and 3B, element 324).

iv) using the second signal to descramble the scrambled signal (col., lines 52-56).

d) **As to claims 4 and 20**, Davis discloses the method wherein encrypting the second signal further comprises using protected content exchange encryption (col. 3, lines 7-13).

e) **As to claim 5**, Davis discloses the method wherein storing the encrypted second signal further comprises storing the encrypted second signal on a random access storage medium (col. 4, lines 12-23).

f) **As to claim 6**, Davis discloses a system comprising:

- i) a bus (Figure 1, element 128)
- ii) a bus interface unit coupled to the bus wherein the bus interface unit receives a video signal (col. 4, lines 2-5; lines 29-34).
- iii) a multi-function unit which reads on a secure video content processor coupled to the bus interface unit including logic to decrypt a portion of the video signal that has previously been encrypted and use the decrypted portion to prepare the video signal for viewing (col. 5, lines 42-56).

g) **As to claim 7**, Davis discloses the system wherein the multi-function unit further comprises a descrambler and a decoder (Figure 2, element 228).

h) **As to claim 8**, Davis discloses the system further comprising a random access storage medium coupled to the bus interface unit wherein the video signal and the portion of the video signal that has previously been encrypted are stored (col. 4, lines 12-23).

i) **As to claim 9**, Davis discloses the system wherein the multi-function unit further comprises an encryption unit and a decryption unit (Figures 3A and 3B, elements 320 and 324).

j) **As to claim 10**, Davis discloses the encryption unit further including logic to encrypt a portion of the video signal using protected content exchange-based encryption (col. 6, lines 43-49).

k) **As to claim 11**, Davis discloses the system wherein the bus is a peripheral component interconnect bus (col. 4, lines 2-3).

l) **As to claim 12**, Davis discloses the secure video content processor may be implemented in other electronic devices such as television set-top boxes, the TV

display connected to the set-top box is inherently understood as a device for showing audio/video signal (col. 7, lines 24-26).

m) **As to claim 14**, Davis discloses the system wherein the descrambler is a digital video broadcast descrambler (Figures 3A and 3B, element 312)

n) **As to claim 16**, Davis discloses the system wherein the decoder is an MPEG decoder (col. 4, lines 58-64).

o) **As to claim 17**, Davis discloses the system wherein the decryption unit performs PCX-based decryption (col. 6, lines 43-51).

4. **Claims 13 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis, US 6,064,739 in view of Wilson, US 5,742,680 and further in view of Muratani, US 6,061,451.

Davis and Wilson disclose a secure system of retrieving and distributing video content, however they fail to disclose a demultiplexer.

Muratani discloses a demultiplexer coupled to the bus and a memory region for storing the portion of the video signal that has previously been encrypted (Figure 15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of a demultiplexer, as Muratani teaches, in the system of Davis and Wilson so as to separate the transport signal.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

a) Method and Apparatus for Accessing Stored Digital Programs, Candelore, US 6,363,149.

b) Data Encryption Key Management System, Etzel et al., US 6,577,734.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 703-305-9727. The examiner can normally be reached on M-F 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Morse can be reached on 703-308-4789. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Minh Dieu Nguyen *mdn*
Examiner
Art Unit 2137

mdn
4/5/04

Greg Morse
GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100